

COMPLAINT INVESTIGATION SUMMARY

COMPLAINT NUMBER:	2190.05
COMPLAINT INVESTIGATOR:	Jennifer Campbell
DATE OF COMPLAINT:	November 3, 2004
DATE OF REPORT:	November 22, 2004
REQUEST FOR RECONSIDERATION:	no
DATE OF CLOSURE:	December 29, 2004

COMPLAINT ISSUES:

Whether the Eastbrook Community School Corporation and the Grant County Special Education Cooperative violated:

511 IAC 7-27-7(a) by failing to implement the student's individualized education program (IEP) as written, specifically by failing to provide speech/language therapy required by an IEP that was developed when the student was enrolled in an early childhood special education program.

FINDINGS OF FACT:

1. The Student has been identified as having a communication disorder and determined eligible for special education and related services.
2. The Student's individualized education program (IEP) that was in effect at the beginning of the 2004-2005 school year requires two 30-minute sessions of speech/language therapy each month.
3. On August 26, 2004, the School provided to the Student 10 minutes of speech/language therapy. During the month of September 2004, the School provided no speech/language therapy to the Student.
4. In October 2004 the School began providing speech/language therapy in excess of 60 minutes per month, to begin making up for services not provided during September. As of the date this Complaint was filed (November 3, 2004), the School had provided to the Student a total of 135 of speech/language therapy since the beginning of the 2004-2005 school year.
5. After the filing of this Complaint, the School continued to provide additional speech/language therapy as compensatory services. Although some of the sessions were shorter than 30 minutes, all missed time had been made up as of November 16, 2004.
6. The School has added to its pre-existing procedure for notifying speech therapists of the students who are entering kindergarten with IEPs in place. In addition to transferring files from early childhood speech therapists, at the beginning of the school year the School will provide to elementary school speech therapists a list of the kindergarten students with IEPs in place.

CONCLUSION:

Finding of Fact #2 and #3 indicate the School failed to provide two 30-minute sessions of speech therapy per month as required by the IEP. Therefore, a violation of 511 IAC 7-27-7(a) is found. However, Findings of Fact #4, #5, and #6 indicate that voluntary corrective action has been taken.

The Department of Education, Division of Exceptional Learners requires no corrective action based on the Findings of Fact and Conclusions listed above.